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Attorneys for Defendant  
12 BANK OF AMERICA GROUP BENEFITS PROGRAM  
(identified by Plaintiff as "Bank of America Self-Insured  
13 Medical Plans," "Associate Life Insurance - Basic" and  
"Associate Life Insurance - Supplemental Plan")  
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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17

18 JAMES MICHAEL BROWN,  
19 Plaintiff,  
20

21 v.

22 BANK OF AMERICA SELF-INSURED  
MEDICAL PLANS: ASSOCIATE LIFE  
INSURANCE - BASIC AND ASSOCIATE  
23 LIFE INSURANCE - SUPPLEMENTAL  
PLAN,  
24

Defendants.  
25

Case No. CGC-07-4844 EDL

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT**

Date: June 10, 2008  
Time: 10:00 a.m.  
Judge: Hon. Elizabeth Laporte

**PLAINTIFF GRANTED  
PERMISSION TO APPEAR BY  
TELEPHONE**

26 Pursuant to Federal Rules of Civil Procedure 16(b) and the Court's Case  
27 Management Conference Order, the parties to the above entitled action jointly submit this case  
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management statement:

1. Settlement of Pending Matter

The parties have reached a tentative settlement of this matter, and are currently negotiating an agreement to that effect. Accordingly, the parties respectfully request that the Court remove pending dates in this matter from its calendar in anticipation of a request for dismissal to be filed within the next three weeks.

Dated: June 2, 2008

THORNTON DAVIDSON  
The ERISA Law Group

/s/ Thornton Davidson

THORNTON DAVIDSON  
Attorneys for Plaintiff  
James Michael Brown

Dated: June 3, 2008

PATRICIA K. GILLETTE  
KRISTEN M. JACOBY  
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/s/ Kristen M. Jacoby

PATRICIA K. GILLETTE  
KRISTEN M. JACOBY  
Attorneys for Defendant  
Bank of America Group Benefits Program

**[PROPOSED] ORDER**

**IT IS SO ORDERED.**

Dated: June 4, 2008

The case management conference is continued to July 1, 2008. The parties shall file a joint case management conference statement no later than June 26, 2008. The Court will vacate these dates if the parties file a joint request for dismissal beforehand, as anticipated.

HONORABLE ELIZABETH D. LAPORTE  
UNITED STATES DISTRICT COURT JUDGE

